

Order

Michigan Supreme Court
Lansing, Michigan

March 31, 2006

Clifford W. Taylor,
Chief Justice

130379

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

JOANNE ROWLAND, a/k/a
JOAN ROWLAND,
Plaintiff-Appellee,

v

SC: 130379
COA: 253210
Washtenaw CC: 03-000128-NO

WASHTENAW COUNTY ROAD
COMMISSION,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 13, 2005 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues addressed: (1) whether appellant's proposed overruling of *Hobbs v Michigan State Highway Dep't*, 398 Mich 90, 96 (1976), and *Brown v Manistee Co Rd Comm*, 452 Mich 354, 356-357 (1996), is justified under the standard for applying stare decisis discussed in *Robinson v City of Detroit*, 462 Mich 439, 463-468 (2000); and (2) if so, whether a decision overruling *Hobbs* and *Brown* should have retroactive or prospective application under the standard discussed in *Pohutski v City of Allen Park*, 465 Mich 675, 695-699 (2002).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 31, 2006

Corbin R. Davis

Clerk